



JHS-

Dkt.0575/69587-A-PCT-US/JPW/MC

IN THE UNITED STATES PATENT OFFICE

Applicants : Koji Nakanishi et al.  
U.S. Serial No. : 10/579,162  
Filed : as a §371 national stage of PCT  
International Application No.  
PCT/US2004/037412, filed November 9,  
2004  
For : SEPARATION OF GINKGOLIDES AND  
BILOBALIDE FROM G. BILOBA

1185 Avenue Of The Americas  
New York, New York 10036  
February 29, 2008

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Mail Stop OIPE

Sir:

COMMUNICATION TO CORRECT ERROR IN FILING RECEIPT

This Communication is filed to request the issuance of a corrected Filing Receipt in connection with the above-identified application. Upon receipt of the official Filing Receipt for the subject application, a copy of which is attached hereto as **Exhibit A**, applicants' undersigned attorney noticed an error.

Specifically, the second applicant's address is listed incorrectly.

A corrected filing receipt should read as follows:

Stanislav Jaracz, **Trinec I**, CZECH REPUBLIC.

Applicants contend that the correct data may be found on page 1 of the signed inventors' Assignment filed August 31, 2007 with the above-identified application and in the signed inventors' Declaration and Power of Attorney filed August 31, 2007 in connection with the subject application. Copies of the signed

Koji Nakanishi et al.

U.S. Serial No. : 10/579,162

Filed: as a §371 national stage of PCT International

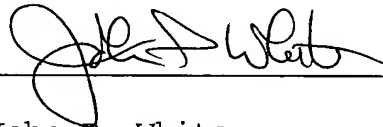
Application No. PCT/US2004/037412, filed November 9, 2004

Page 2

inventors' Assignment and of the Declaration and Power of Attorney are attached hereto as **Exhibits B and C**, respectively. Accordingly, applicants request that a corrected Filing Receipt be issued.

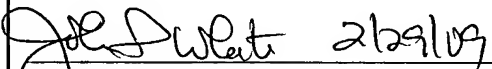
No fee is deemed necessary in connection with the filing of this Communication. However, if any fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account 03-3125.

Respectfully submitted,



John P. White  
Registration No. 28,678  
Attorney for Applicants  
Cooper & Dunham LLP  
1185 Avenue of the Americas  
New York, New York 10036  
(212) 278-0400

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450



John P. White  
Reg. No. 28,678

Date

# EXHIBIT A

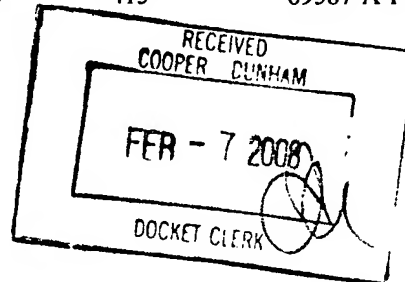


# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	TOT CLAIMS	IND CLAIMS
10/579,162	09/05/2007	1625	415	69587-A-PCT-US/JPW/CH	22	3

23432  
COOPER & DUNHAM, LLP  
1185 AVENUE OF THE AMERICAS  
NEW YORK, NY 10036



**CONFIRMATION NO. 8923**  
**FILING RECEIPT**



Date Mailed: 02/04/2008

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections**

## Applicant(s)

Koji Nakanishi, New York, NY;  
Stanislav Jaracz, Trince, CZECH REPUBLIC;  
Shahid Malik, Edmonlon, CANADA;  
Hideki Ishii, New York, NY;  
Sergei V. Dzyuba, New York, NY;

## Assignment For Published Patent Application

The Trustees of Columbia University in the City of New York, New York, NY

## Power of Attorney:

Christopher Dunham--22031	Robert Katz--30141
Norman Zivin--25385	Gary Gershik--39992
William Pelton--25702	Paul Teng--40837
John White--28678	
Peter Phillips--29691	

## Domestic Priority data as claimed by applicant

This application is a 371 of PCT/US04/37412 11/09/2004  
which claims benefit of 60/519,840 11/12/2003

## Foreign Applications

## If Required, Foreign Filing License Granted: 01/31/2008

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 10/579,162**

**Projected Publication Date:** 05/08/2008

**Non-Publication Request:** No

**Early Publication Request:** No

**\*\* SMALL ENTITY \*\***

**Title**

Separation Of Ginkgolides And Bilobalide From G. Biloba

**Preliminary Class**

549

## **PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

**LICENSE FOR FOREIGN FILING UNDER**  
**Title 35, United States Code, Section 184**  
**Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

# EXHIBIT B

***Assignment***

*In consideration of One Dollar (\$1.00), and other good and valuable considerations, the receipt of which is hereby acknowledged, we, the undersigned,*

Koji Nakanishi, residing at 560 Riverside Drive, New York, New York 10027, United States of America;  
Stanislav Jaracz, residing at Oldrichovice 487, Trinec I, 73961, Czech Republic;  
Shahid Malik, residing at 1811 Towne Centre Blvd, Edmonlon A13, TGR3N8, Canada;  
Hideki Ishii, residing at 610 West 116<sup>th</sup> Street, Apt. 104, New York, New York 10027, United States of America; and  
Sergei V. Dzyuba, residing at 400 West 119<sup>th</sup> Street, Apt. 12H, New York, New York 10027, United States of America

*Hereby sell, assign and transfer to The Trustees of Columbia University in the City of New York, a corporation of the State of New York, having a place of business at West 116<sup>th</sup> Street and Broadway, New York, in the County of New York and State of New York 10027, U.S.A., its successors, assigns and legal representatives, the entire right, title and interest for all countries, in and to any and all inventions which are disclosed and claimed, and any and all inventions which are disclosed but not claimed, in the application for United States Patent, which has been executed by the undersigned on August 24, 2007, June 4, 2007, August 27, 2007, August 27, 2007 and August 24, 2007, respectively*

*and is entitled*

**SEPARATION OF GINKGOLIDES AND BILOBALIDE FROM G. BILOBA**  
(U.S. Serial No. 10/579,162, §371 national stage of PCT International Application No. PCT/US2004/037412, filed November 9, 2004, claiming the benefit of U.S. Provisional Application No. 60/519,840, filed November 12, 2003)  
*and in and to said application and all divisional, continuing, substitute, renewal, reissue, and all other applications for U.S. Letters Patent or other related property rights in any and all foreign countries which have been or shall be filed on any of said inventions disclosed in said application; and in and to all original and reissued patents or related foreign documents which have been or shall be issued on said inventions;*

*Authorize and request the Commissioner for Patents of the United States to issue to said Assignee, the corporation above named, its successors, assigns and legal representatives, in accordance with this assignment, any and all United States Letters Patent on said inventions or any of them disclosed in said application;*



Agree that said Assignee may apply for and receive foreign Letters Patent or rights of any other kind for said inventions, or any of them; and may claim, in applications for said foreign Letters Patent or other rights, the priority of the aforesaid United States patent application under the provisions of the International Convention of 1883 and later modifications thereof, under the Patent Cooperation Treaty, under the European Patent Convention or under any other available international agreement; and that, when requested, without charge to, but at the expense of, said Assignee, its successors, assigns and legal representatives, to carry out in good faith the intent and purpose of this assignment, the undersigned or the undersigned's executors or administrators will, for the United States and all foreign countries, execute all divisional, continuing, substitute, renewal, reissue, and all other patent applications or other documents on any and all said inventions; execute all rightful oaths, assignments, powers of attorney and other papers; communicate to said Assignee, its successors, assigns and representatives, all facts known and documents available to the undersigned relating to said inventions and the history thereof; testify in all legal proceedings; and generally do everything possible which said Assignee, its successors, assigns or representatives shall consider desirable for aiding in securing, maintaining and enforcing proper patent protection for said inventions and for vesting title to said inventions and all applications for patents or related foreign rights and all patents on said inventions, in said Assignee, its successors, assigns and legal representatives; and

Covenant with said Assignee, its successors, assigns and legal representatives that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by the undersigned, and that full right to convey the same as herein expressed is possessed by the undersigned.

Date: 8/24/07 2007  
Witness: [Signature] (Signature)  
Ning BERIVA (Printed name)  
400 West 119th St Apt 14-R (Address)  
New York NY 10027

[Signature] [L.S.]  
Koji Nakamishi

Date: \_\_\_\_\_ 20 07  
Witness: \_\_\_\_\_ (Signature)  
\_\_\_\_\_  
(Printed name)  
\_\_\_\_\_  
(Address)

\_\_\_\_\_  
Stanislav Joracs [L.S.]

Agree that said Assignee may apply for and receive foreign Lettess Patent or rights of any other kind for said inventions, or any of them; and may claim, in applications for said foreign Lettess Patent or other rights, the priority of the aforesaid United States patent application under the provisions of the International Convention of 1883 and later modifications thereof, under the Patent Cooperation Treaty, under the European Patent Convention or under any other available international agreement; and that, when requested, without charge to, but at the expense of, said Assignee, its successors, assigns and legal representatives, to carry out in good faith the intent and purpose of this assignment, the undersigned or the undersigned's executors or administrators will, for the United States and all foreign countries, execute all divisional, continuing, substitute, renewal, reissue, and all other patent applications or other documents on any and all said inventions; execute all rightful oaths, assignments, powers of attorney and other papers; communicate to said Assignee, its successors, assigns and representatives, all facts known and documents available to the undersigned relating to said inventions and the history thereof testify in all legal proceedings; and generally do everything possible which said Assignee, its successors, assigns or representatives shall consider desirable for aiding in securing, maintaining and enforcing proper patent protection for said inventions and for vesting title to said inventions and all applications for patents or related foreign rights and all patents on said inventions, in said Assignee, its successors, assigns and legal representatives; and

Covenant with said Assignee, its successors, assigns and legal representatives that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by the undersigned, and that full right to convey the same as herein expressed is possessed by the undersigned.

Date: \_\_\_\_\_ 20 07

Witness: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Koji Hakanishi [L.S.]

Date: 06/04/20 07  
Witness: Milena S. Jaraczova  
MILENA S. JARACZOVA  
SVECOVA 499/44  
014 01 BYTCA, SLOVAKIA

\_\_\_\_\_  
Stanislav Jaracz [L.S.]

Dkt. 69587-2-PCT-US  
/JFW/CH

Date: August 27, 2007

Witness: Parag Acharya (Signature)  
PARAG ACHARYA (Printed name)

Suite # 800, 10050 - 112 St. (Address)  
Edmonton, Alberta T8K 2J4

M. Shuhid Malik (Signature)  
Shuhid Malik

Date: \_\_\_\_\_ 2007

Witness: \_\_\_\_\_ (Signature)

\_\_\_\_\_ (Printed name)

\_\_\_\_\_ (Address)

\_\_\_\_\_

\_\_\_\_\_ (L.S.)  
Hidaki Ishii

Date: \_\_\_\_\_ 2007

Witness: \_\_\_\_\_ (Signature)

\_\_\_\_\_ (Printed name)

\_\_\_\_\_ (Address)

\_\_\_\_\_

\_\_\_\_\_ (L.S.)  
Sergei V. Daryuba

Dkt. 69587-A-PCT-03  
/JFW/CR

Date: \_\_\_\_\_ 2007

Witness: \_\_\_\_\_ (Signature)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ (address)

\_\_\_\_\_  
Shahid Malik [L.S.]

Date: August 27 2007

Witness: [Signature] (Signature)  
Yoshinobu Hashizume (printed name)  
1-24-603 Tokimizu (address)  
Nagoya-city, JAPAN

[Signature] [L.S.]  
Hideo Ishii

Date: August 24 2007

Witness: \_\_\_\_\_ (Signature)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ (address)

[Signature] [L.S.]  
Sergeant Oyabe

# EXHIBIT C

## DECLARATION AND POWER OF ATTORNEY

As a below-named inventor, I hereby declare that

My residence, post office address, and citizenship are as stated below next to my name

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

## SEPARATION OF GINKGOLIDES AND BILOBALIDE FROM G BILOBA

the specification of which  
(check one)

       is attached hereto

X was filed as 5371 national stage of PCT/US2004/037412, filed  
November 9, 2004 as

Application Serial No 10/579,162

and was amended on May 11, 2006  
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above

I acknowledge the duty to disclose to the U S Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International Application which designated at least one country other than the United States, listed below. I have also identified below any foreign application for patent or inventor's certificate, or PCT International Application having a filing date before that of the earliest application from which priority is claimed:

## Prior Foreign Application(s)

## Priority Claimed

<u>Number</u>	<u>Country</u>	<u>Filing Date</u>	<u>Yes</u>	<u>No</u>
PCT/US2004/037412	PCT	November 9, 2004	<u>X</u>	

## Page 2

<u>Provisional Application No.</u>	<u>Filing Date</u>	<u>Status</u>
<u>60/519,840</u>	<u>November 12, 2003</u>	<u>Pending as of November 12, 2004</u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>

[illegible]

and each of them, all c/o Cooper & Dunham LLP, 1185 Avenue of the Americas, New York, New York 10036, my attorneys, each with full power of substitution and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, to transact all business in the Patent and Trademark Office connected therewith and to file any International Applications which are based thereon under the provisions of the Patent Cooperation Treaty.

Please address all communications, and direct all telephone calls, regarding this application to

John P. White, Esq. Reg No 28,678  
Cooper & Dunham, LLP (Customer Number 23432)  
1185 Avenue of the Americas  
New York, New York 10036  
Tel (212) 278-0400

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon

Full name of sole or  
 first joint inventor Koji Nakanishi  
 Inventor's signature [Signature] Date of signature 3/24/07  
 Citizenship Japan  
 Residence 560 Riverside Drive, New York, New York 10027, United States of America  
 Post Office Address see residence address

Full name of  
 additional joint inventor(if any) Stanislav Jiracek  
 Inventor's signature [Signature] Date of signature 06/04/2007  
 Citizenship Czech Republic  
 Residence Oldrichovice 487, Trinec I, 73961, Czech Republic  
 Post Office Address see residence address

Full name of  
 additional joint inventor(if any) Shahid Malik  
 Inventor's signature [Signature] Date of signature August 27, 2007  
 Citizenship Canada  
 Residence 1811 Towne Centre Blvd, Edmonton A13, T6R3N8, Canada  
 Post Office Address see residence address




Declaration and Power of Attorney

Page 4

Full name of  
additional joint inventor(if any) Hideki Ishii  
Inventor's signature [Signature] Date of signature Aug. 27, 2007  
Citizenship Japan  
Residence 610 West 116<sup>th</sup> Street, Apt. 104, New York, New York 10027, United States of America  
Post Office Address see residence address

Full name of  
additional joint inventor(if any) Sergei V. Dryuba  
Inventor's signature \_\_\_\_\_ Date of signature \_\_\_\_\_  
Citizenship Ukraine  
Residence 400 West 119<sup>th</sup> Street, Apt. 12H, New York, New York 10027, United States of America  
Post Office Address see residence address

Full name of  
additional joint inventor(if any) Hideki Ishii  
Inventor's signature \_\_\_\_\_ Date of signature \_\_\_\_\_  
Citizenship Japan  
Residence 610 West 116<sup>th</sup> Street, Apt. 104, New York, New York 10027, United States of America  
Post Office Address see residence address

Full name of  
additional joint inventor(if any) Sergei V. Dzyuba  
Inventor's signature  Date of signature 3/27/2007  
Citizenship Ukraine  
Residence 400 West 119<sup>th</sup> Street, Apt. 12H, New York, New York 10027, United States of America  
Post Office Address see residence address